



City of Dublin

**Office of the City Manager**

5200 Emerald Parkway • Dublin, OH 43017-1090  
Phone: 614-410-4400 • Fax: 614-410-4490

# Memo

**To:** Members of Dublin City Council

**From:** Marsha I. Grigsby, City Manager 

**Date:** April 18, 2013

**Initiated By:** Sara Ott, Sr. Project Manager

**Re: Ordinance 30-13 – Authorizing the City Manager to Execute Necessary Conveyance Documentation to Acquire 0.127 Acres, More or Less, Fee Simple Interest that is Present Road Occupied Property; 0.017 Acres, More or Less, Permanent Multi-use, Utility, Grading and Drainage Easement; and a 0.021 Acres, More or Less, Temporary Easement from Michael A. Wade.**

## Background

The City of Dublin ("City") is preparing to construct a shared-use path on the southern side of Brand Road between Muirfield Drive and Earlington Parkway (the "Project"). The City must obtain property interests from various landowners located within the City in order to construct this project. The City presented offers, based upon appraisals, to each of these landowners.

One of the landowners that the City must obtain property interests from for the construction of the Project is Michael A. Wade (the "Grantor"). After engaging in amicable negotiations, the City has come to an agreement with the Grantor to acquire these necessary property interests pursuant to the terms outlined in this memorandum.

## Acquisition

The City will acquire from the Grantor only those property interests necessary for the construction of the Project as depicted in the legal descriptions and maps attached to this memorandum. The City will acquire these property interests for the appraised value. The acquisition is detailed below:

| <i>Property Interest<br/>Acquiring</i>                            | <i>PROPOSED<br/>ACRES</i> | <i>APPRAISED COST</i> |
|---|---------------------------|-----------------------|
| Present Road Occupied<br>(P.R.O.)                                 | 0.127                     | \$1                   |
| Permanent Multi-Use,<br>Utility, Grading and<br>Drainage Easement | 0.017                     | \$999                 |
| Temporary Construction<br>and Grading Easements                   | 0.021                     | \$200                 |
| Vegetation/Natural<br>Growth Being Removed                        |                           | \$1,800               |
| <b>Total</b>  |                           | <b>\$3,000</b>        |

**Recommendation**

Ordinance 30-13 authorizes the City Manager to execute all necessary conveyance documentation to formally acquire the necessary property interests described above. Staff recommends approval of Ordinance 30-13 at the second reading/public hearing on May 6, 2013 as obtaining the property interests is necessary for the furtherance of this project.

## RECORD OF ORDINANCES

**30-13**

*Ordinance No.* \_\_\_\_\_ *Passed* \_\_\_\_\_, 20\_\_\_\_

**AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXECUTE NECESSARY CONVEYANCE DOCUMENTATION TO ACQUIRE 0.127 ACRES, MORE OR LESS, FEE SIMPLE INTEREST THAT IS PRESENT ROAD OCCUPIED PROPERTY; 0.017 ACRES, MORE OR LESS, PERMANENT MULTI-USE, UTILITY, GRADING AND DRAINAGE EASEMENT; AND A 0.021 ACRES, MORE OR LESS, TEMPORARY EASEMENT, FROM MICHAEL A. WADE.**

**WHEREAS**, the City of Dublin (the "City") is preparing to construct a multi-use path along Brand Road (the "Project"); and

**WHEREAS,** said project requires that the City obtain certain property interests within Franklin County Parcel No. 273-000379 owned by Michael A. Wade (the "Grantor"), said property interests more fully described in the Exhibits labeled "A" and depicted in the Exhibits labeled "B", all attached hereto; and

**WHEREAS**, the City and the Grantor participated in good faith discussions and have come to mutually agreeable terms for the acquisition of the necessary property interests for the sum of Three Thousand Dollars (\$3,000); and

**WHEREAS**, the City desires to execute necessary conveyance documentation to complete the transaction between the City and the Grantor.

**NOW, THEREFORE, BE IT ORDAINED** by the Council of the City of Dublin, State of Ohio, \_\_\_\_\_ of the elected members concurring that:

**Section 1.** The City Manager is hereby authorized to execute all necessary conveyance documentation to acquire an approximate 0.127 acres, more or less of Present Road Occupied Property; a 0.017 acres, more or less, permanent multi-use, utility, grading and drainage easement; and a 0.021 Temporary Easement from Michael A. Wade, for the sum of Three Thousand Dollars (\$3,000), said property interests located within Franklin County Parcel No. 273-000379, and as more fully described and depicted in the attached Exhibits "A" and "B".

**Section 2.** This Ordinance shall take effect and be in force from and after the earliest date permitted by law.

Passed this \_\_\_\_\_ day of \_\_\_\_\_, 2013.

Mayor - Presiding Officer

**ATTEST:**

Clerk of Council

**EXHIBIT A**

Page 1 of 1  
CIP 11-022-CIP  
PARCEL 3-WD  
PROJECT BRAND SUP  
Version Date 12/06/12

**PARCEL 3-WD  
ALL RIGHT, TITLE AND INTEREST IN FEE SIMPLE  
IN THE FOLLOWING DESCRIBED PROPERTY  
WITHOUT LIMITATION OF EXISTING ACCESS RIGHTS**

Situated in the State of Ohio, County of Franklin, City of Dublin, located in Virginia Military Survey Number 2544, being a part of a 1.921 acre tract in the name Michael A. Wade, as recorded in Instrument No. 200111280274896, all records are referenced to the Franklin County Recorder's Office, and being more particularly described as follows:

Beginning, for reference, at a railroad spike (found) at the centerline intersection of Ashbaugh Road and Brand Road;

Thence, North 79°22'57" West, a distance of 644.60 feet, along the centerline of Brand Road, to a magnail (set) at the northwesterly corner of a 1.545 acre tract in the name of Angela Haley, T.O.D., as recorded in Deed Book 1975, Page 614 and also Instrument No. 200811280171587 (T.O.D.), being the **True Place of Beginning** for the parcel herein described:

Thence, South 03°10'57" East, a distance of 30.89 feet, along the westerly line of said 1.545 acre tract, to an iron pipe (set) on the southerly existing highway easement for Brand Road, passing a 3/4" I.D. pipe (found) at a distance of 25.91 feet;

Thence, North 79°22'57" West, a distance of 185.00 feet, leaving said westerly line and running across said 1.921 acre tract, being parallel with and 30.00 feet perpendicular to the existing centerline of Brand Road, to an iron pipe (set) on the easterly line of a 2.500 acre tract in the name of Michael A. & Judith E. Teets, as recorded in Official Record Volume 25045, Page B20;

Thence, North 03°10'57" West, a distance of 30.89 feet, along the easterly line of said 2.500 acre tract, to a magnail (set) in the centerline of Brand Road at the northeasterly corner of said 2.500 acre tract, passing a 3/4" I.D. pipe (found) at a distance of 5.02 feet;

Thence, South 79°22'57" East, a distance of 185.00 feet, along the centerline of Brand Road to the **True Place of Beginning**, containing 0.127 acres more or less, of which 0.127 acres is in the Present Roadway Occupied (P.R.O.).

Iron Pipes set are 3/4 inch inside diameter iron pipes, 30 inches long, with a yellow cap stamped "W.E. STILSON".

The bearings for this description are based on the bearing between Franklin County Engineer's stations "MCNEAL" and "FCGS 6648" being South 15°07'52" East, as measured using GPS methods and the Ohio State Plane Coordinate System, South Zone, NAD 83 (1986 Adjustment).

I hereby certify this description was written by using measurements obtained by an actual field survey conducted under my direct supervision.

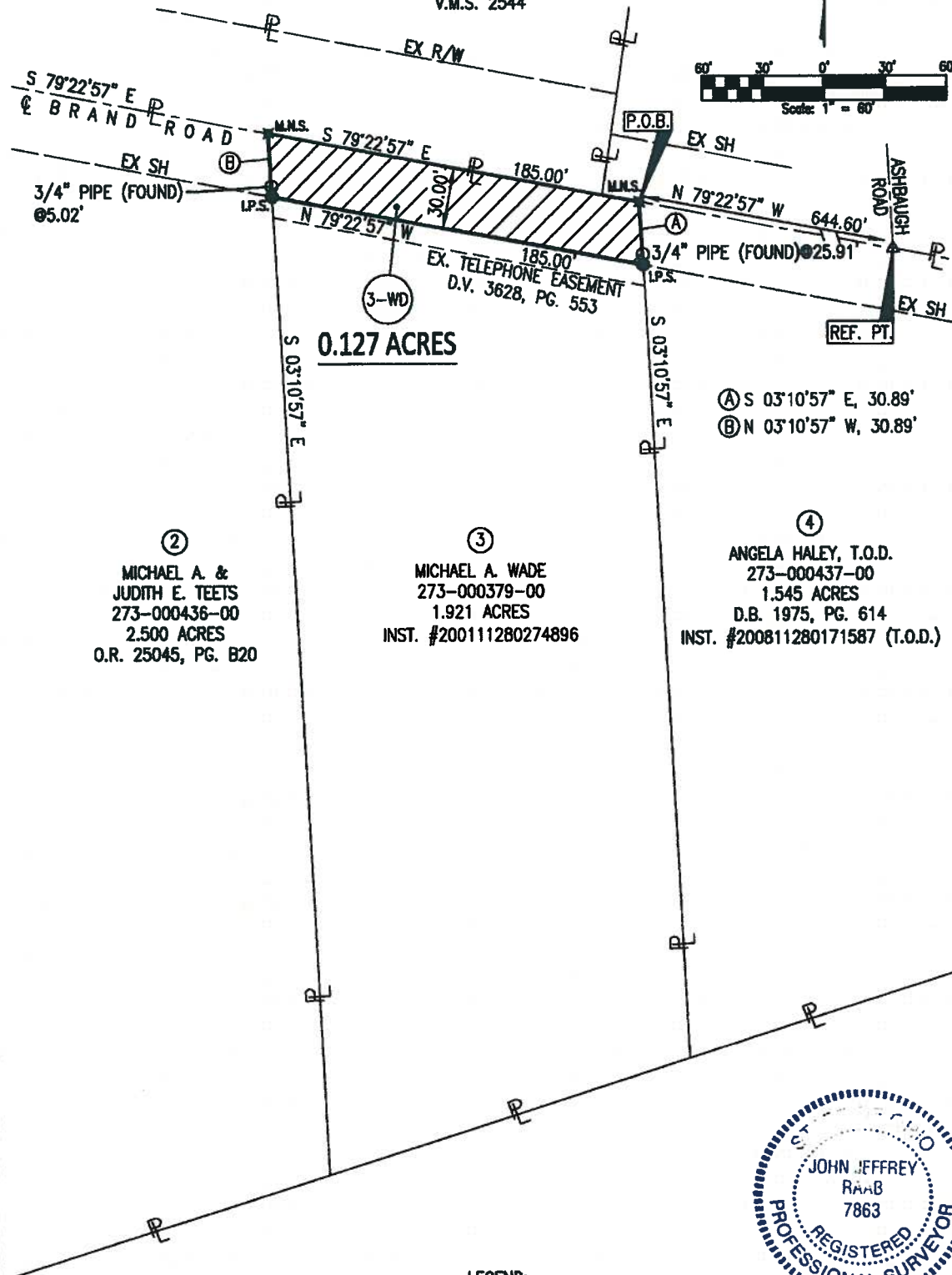
  
John Jeffrey Raab, Ohio Registered Surveyor No 7863  
Prepared by: W.E. Stilson Consulting Group, LLC.  
Job No.: 111013.00  
(Auditor's Parcel No. 273-000379-00)

12/10/12  
Date



0-107 E  
SPLIT  
0.127 AC  
OUT OF  
(273)  
000379

**EXHIBIT B**  
**PARCEL 3-WD**  
**BRAND ROAD SHARED-USE PATH**  
 CITY OF DUBLIN, FRANKLIN COUNTY, OHIO  
 V.M.S. 2544



②  
 MICHAEL A. &  
 JUDITH E. TEETS  
 273-000436-00  
 2.500 ACRES  
 O.R. 25045, PG. B20

③  
 MICHAEL A. WADE  
 273-000379-00  
 1.921 ACRES  
 INST. #200111280274896

④  
 ANGELA HALEY, T.O.D.  
 273-000437-00  
 1.545 ACRES  
 D.B. 1975, PG. 614  
 INST. #200811280171587 (T.O.D.)



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 355 E. CAMPUS VIEW BLVD  
 COLUMBUS, OH 43235  
 (614) 847-4670

*John Jeffrey RAAB* 12/10/12  
 JOHN JEFFREY RAAB, P.S. 7863 DATE

**LEGEND:**

- △ RAILROAD SPIKE FOUND
- IRON MONUMENT FOUND
- I.P.S. 3/4" I.D. PIPE SET W/CAP STAMPED "W.E. STILSON"
- M.M.S. MAGNAIL SET

**BASIS OF BEARINGS:**

THE BEARINGS FOR THIS SURVEY ARE BASED ON THE BEARING BETWEEN FRANKLIN COUNTY ENGINEER'S STATIONS "MCNEAL" AND "FCGS 6648" BEING S 15°07'52" E, AS MEASURED USING GPS METHODS AND THE OHIO STATE PLANE COORDINATE SYSTEM, SOUTH ZONE, NAD 83 (1986 ADJUSTMENT).

**EXHIBIT A**

Page 1 of 1  
11-022-CIP  
CIP  
PARCEL 3-P  
PROJECT BRAND SUP  
Version Date 01/17/13

**PARCEL 3-P  
DESCRIPTION OF A PERMANENT EASEMENT  
FOR A SHARED-USE PATH, UTILITIES, DRAINAGE AND GRADING**

Situated in the State of Ohio, County of Franklin, City of Dublin, located in Virginia Military Survey Number 2544, being a part of a 1.921 acre tract in the name Michael A. Wade, as recorded in Instrument No. 200111280274896, all records are referenced to the Franklin County Recorder's Office, and being more particularly described as follows:

Beginning, for reference, at the northwesterly corner of said 1.921 acre tract, said corner being on the centerline of Brand Road, and also being the northeasterly corner of a 2.500 acre tract in the name of Michael A. & Judith E. Teets, as recorded in Official Record Volume 25045, Page B20;

Thence, South 03°10'57" East, for a distance of 30.89 feet, with the westerly line of said 1.921 acre tract, to a point on the southerly existing highway easement for Brand Road, passing a 3/4" pipe (found) at a distance of 25.87 feet, said point also being the **True Place of Beginning** for the easement herein described:

Thence, South 79°22'57" East, a distance of 185.00 feet, parallel with and 30.00 feet southerly from said centerline, leaving said property line, with said southerly existing highway easement, to a point on the westerly line of a 1.545 acre tract in the name of Angela Haley, T.O.D., as recorded in Deed Volume 1975, Page 614 and also Instrument No. 200811280171587 (T.O.D.);


Thence, South 03°10'57" East, a distance of 4.12 feet, leaving said southerly existing highway easement, with the westerly line of said 1.545 acre tract, to a point;

Thence, North 79°22'57" West, a distance of 185.00 feet, leaving said property line and running across said 1.921 acre tract, to a point on the easterly property line of said 2.500 tract;

Thence, North 03°10'57" West, a distance of 4.12 feet, with said line, to the **True Place of Beginning**, containing 0.017 acres more or less.

The bearings for this description are based on the bearing between Franklin County Engineer's stations "MCNEAL" and "FCGS 6648" being South 15°07'52" East, as measured using GPS methods and the Ohio State Plane Coordinate System, South Zone, NAD 83 (1986 Adjustment).

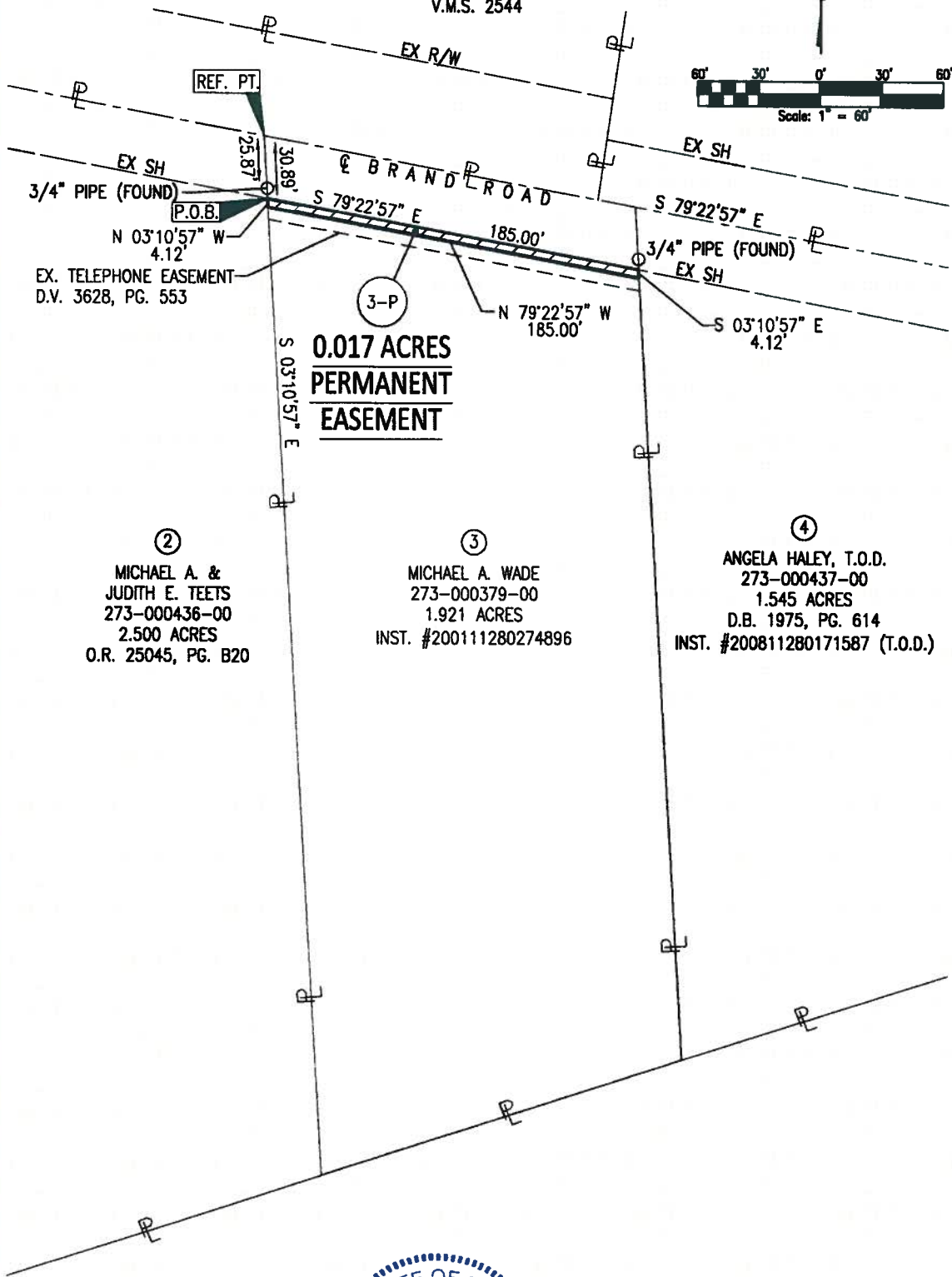
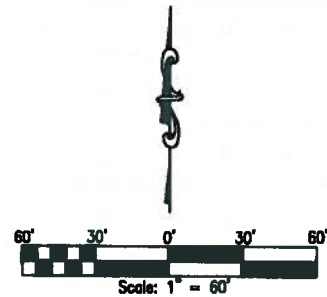
I hereby certify this description was written by using measurements obtained by an actual field survey conducted under my direct supervision.

  
John Jeffrey Raab, Ohio Registered Surveyor No 7863  
Prepared by: W.E. Stilson Consulting Group, LLC.  
Job No.: 111013.00  
(Auditor's Parcel No. 273-000379-00)

1/18/13  
Date



**EXHIBIT B**  
**PARCEL 3-P**  
**BRAND ROAD SHARED-USE PATH**  
 CITY OF DUBLIN, FRANKLIN COUNTY, OHIO  
 V.M.S. 2544



**W.E. STILSON**  
 CONSULTING GROUP

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 355 E. CAMPUS VIEW BLVD  
 COLUMBUS, OH 43235  
 (614) 847-4670



**LEGEND:**  
 ○ IRON MONUMENT FOUND

**BASIS OF BEARINGS:**  
 THE BEARINGS FOR THIS SURVEY ARE BASED ON THE BEARING BETWEEN FRANKLIN COUNTY ENGINEER'S STATIONS "MCNEAL" AND "FCGS 6648" BEING S 15°07'52" E, AS MEASURED USING GPS METHODS AND THE OHIO STATE PLANE COORDINATE SYSTEM, SOUTH ZONE, NAD 83 (1986 ADJUSTMENT).

*John Jeffrey Raab* 1/20/12  
 JOHN JEFFREY RAAB, P.S. 7863 DATE



**EXHIBIT A**

Page 1 of 1  
11-022-CIP  
CIP  
PARCEL 3-T  
PROJECT BRAND SUP  
Version Date 11/20/12

**PARCEL 3-T  
DESCRIPTION OF A TEMPORARY EASEMENT  
FOR GRADING**

Situated in the State of Ohio, County of Franklin, City of Dublin, located in Virginia Military Survey Number 2544, being a part of a 1.921 acre tract in the name Michael A. Wade, as recorded in Instrument No. 200111280274896, all records are referenced to the Franklin County Recorder's Office, and being more particularly described as follows:

Beginning, for reference, at the northwesterly corner of said 1.921 acre tract, said corner being on the centerline of Brand Road, and also being the northeasterly corner of a 2.500 acre tract in the name of Michael A. & Judith E. Teets, as recorded in Official Record Volume 25045, Page B20;

Thence, South 03°10'57" East, for a distance of 35.01 feet, with the easterly line of said 2.500 acre tract, to a point, passing a 3/4" pipe found at a distance of 25.87 feet, said point also being the **True Place of Beginning** for the easement herein described:

Thence, South 79°22'57" East, a distance of 185.00 feet, parallel with and being 34.00 feet from said centerline, leaving said line and running across said 1.921 acre tract, to a point on the westerly line of a 1.545 acre tract in the name of Angela Haley, T.O.D., as recorded in Deed Volume 1975, Page 614 and also Instrument No. 200811280171587(T.O.D.);

Thence, South 03°10'57" East, a distance of 12.36 feet, with the westerly line of said 1.545 acre tract, to a point;

Thence, leaving said line, running across said 1.921 acre tract, for the following three (3) calls:

- 1.) Thence, North 79°22'57" West, a distance of 22.97 feet to a point;
- 2.) Thence, North 10°37'03" East, a distance of 8.00 feet to a point;
- 3.) Thence, North 79°22'57" West, a distance of 164.00 feet to a point on the easterly line of said 2.500 acre tract;

Thence, North 03°10'57" West, a distance of 4.12 feet, with the easterly line of said 2.500 acre tract, to the **True Place of Beginning**, containing 0.021 acres more or less.

The bearings for this description are based on the bearing between Franklin County Engineer's stations "MCNEAL" and "FCGS 6648" being South 15°07'52" East, as measured using GPS methods and the Ohio State Plane Coordinate System, South Zone, NAD 83 (1986 Adjustment).

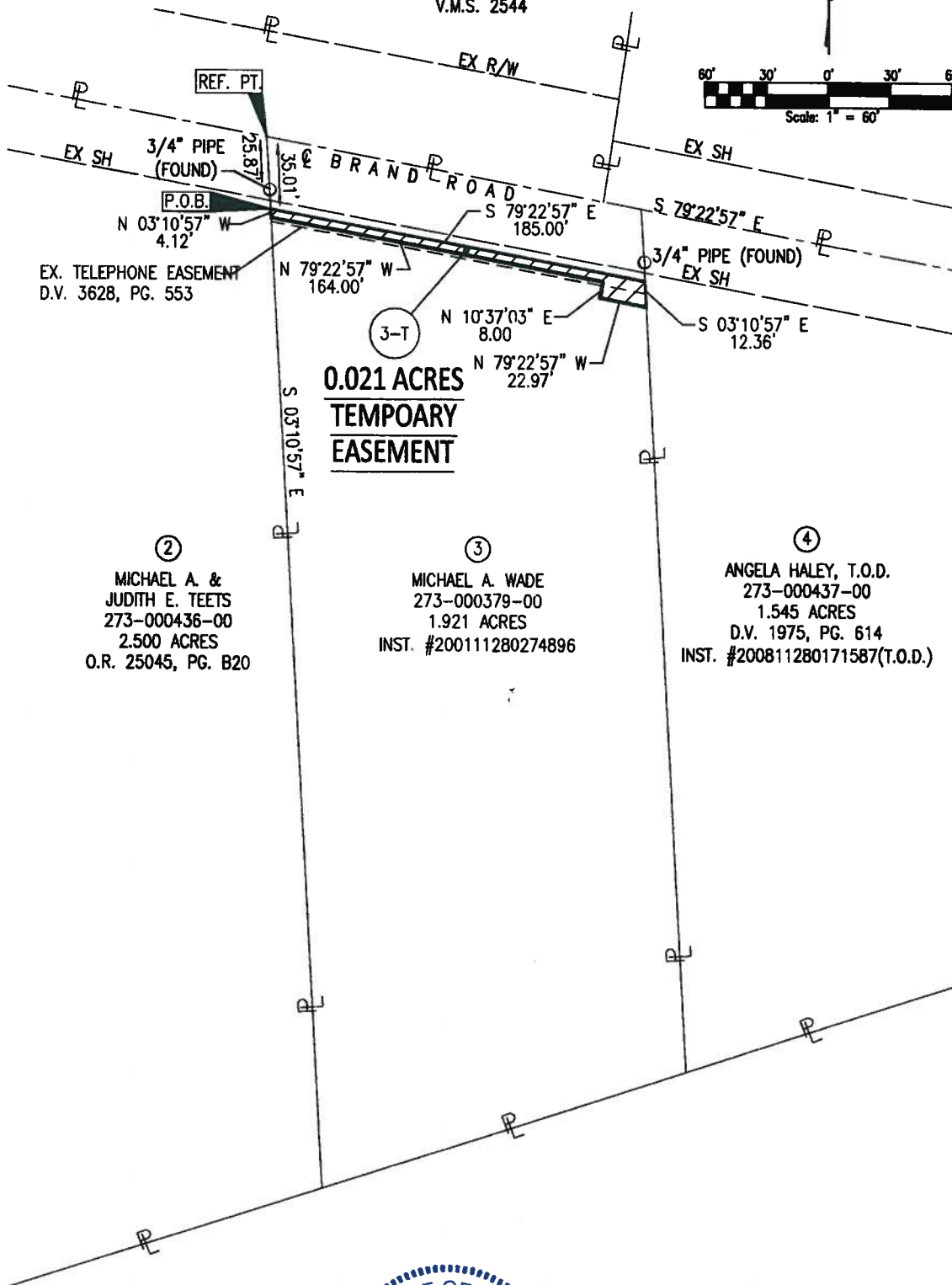
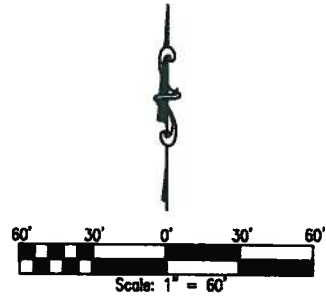
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 11/20/12  
John Jeffrey Raab, Ohio Registered Surveyor No 7863 Date  
Prepared by: W.E. Stilson Consulting Group, LLC.  
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**EXHIBIT B**  
**PARCEL 3-T**  
**BRAND ROAD SHARED-USE PATH**  
 CITY OF DUBLIN, FRANKLIN COUNTY, OHIO  
 V.M.S. 2544



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*John Jeffrey Raab* 11/20/12  
 JOHN JEFFREY RAAB, P.S. 7863 DATE



**LEGEND:**

○ IRON MONUMENT FOUND

**BASIS OF BEARINGS:**

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